

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

KIMBERLYN F. GUZMAN,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

NO: 13-CV-0063-TOR

ORDER TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand (ECF No. 21). Based on the parties' stipulation, this case is remanded to the Commissioner of Social Security for a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g).

**ACCORDINGLY, IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion to Remand (ECF No. 21) is **GRANTED**.

The Commissioner's decision regarding Plaintiff's application for a period of disability, disability insurance benefits, and supplemental security income

benefits is **REVERSED** and **REMANDED** to the Commissioner of Social Security for a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will update the update the medical record; further evaluate the opinion evidence in Exhibits 4F and 14F; further evaluate Plaintiff's subjective complaints; if necessary, obtain vocational expert testimony; offer Plaintiff the opportunity for a new hearing; and issue a new decision.

2. If and when appropriate, Plaintiff may file by separate motion an application for attorney's fees and costs under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

3. All pending motions are **DENIED** as moot.

The District Court Executive is hereby directed to enter this Order, provide copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

**DATED** October 18, 2013.



*Thomas O. Rice*  
THOMAS O. RICE  
United States District Judge